

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SABIHUDDIN ABDUL-MAJID,

Plaintiff,

-against-

MONADNOCK PROPERTY MANAGEMENT,
MONADNOCK CONSTRUCTION, MONADNOCK
DEVELOPMENT LLC, GREG BAUSO, KERON
RIVERA,

Defendants.

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**NOTICE OF REMOVAL OF A
CIVIL ACTION**

Civil Action No.

Defendants Monadnock Property Management, Monadnock Construction, Monadnock Development LLC, Greg Bauso and Keron Rivera (“Defendants”), by and through their attorneys, Clifton Budd & DeMaria, LLP, desiring to remove this civil action from the Supreme Court of the State of New York, County of New York, to the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. §§ 1441 and 1446, hereby submit this Notice of Removal and allege as follows:

1. Upon information and belief, Plaintiff Sabihuddin Abdul-Majid (“Plaintiff”) commenced an action on January 6, 2022, in the Supreme Court of the State of New York, County of New York, Index No. 10024/2022, against Defendants.

2. A true and correct copy of Plaintiff’s Summons, Complaint, and attachments as filed with the Court is attached as **Exhibit A**.

3. Upon information and belief, Plaintiff has not filed an Affidavit of Service with the Court advising the Court that Plaintiff served the Summons and Complaint.

4. Upon information and belief, and without admitting service was proper, Defendants Monadnock Property Management, Monadnock Construction, Monadnock Development LLC and Keron Rivera received copies of the Summons and Complaint on January 26, 2022.

5. The Notice of Removal is being filed within thirty (30) days of the receipt by the Defendants, through service or otherwise, of the Summons and Complaint and, thus, is timely filed under 28 U.S.C. § 1446(b).

6. Defendants' time to move or answer the Complaint has not expired.

7. All named Defendants consent to removal of this action to the United States District Court pursuant to 28 U.S.C. § 1446(b)(2)(B). Their written consents are collectively annexed as **Exhibit B.**

8. By removing this action, Defendants do not waive any available defenses and expressly reserve all defenses.

9. By removing this action, Defendants do not admit any of the allegations in plaintiff's complaint.

10. Defendants are seeking removal of this action under 28 U.S.C. § 1441, as Plaintiff alleges in the Complaint violations of the laws of the United States, including Title VII of the Civil Rights Act of 1964, as amended ("Title VII").

11. Specifically, Plaintiff alleges that Defendants subjected Plaintiff to discrimination by terminating Plaintiff's employment for his failure to comply with their requirement that all staff demonstrate proof of COVID-19 vaccination, notwithstanding a sincerely held religious objection to vaccination, in violation of Title VII.

12. Given the specific allegations of violations of federal law in the Complaint, this Court has original federal question jurisdiction under 28 U.S.C. § 1331 and this action is properly removed to this Court pursuant to 28 U.S.C. §§ 1441(a) and 1446.

13. Pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over any remaining causes of action, including those that may allege violations of the New York State

Human Rights Law and the New York City Human Rights Law.

WHEREFORE, Defendants respectfully requests that this action be removed from the Supreme Court of the State of New York, County of New York, to the United States District Court for the Southern District of New York.

Dated: New York, New York
 February 22, 2022

CLIFTON BUDD & DEMARIA, LLP
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